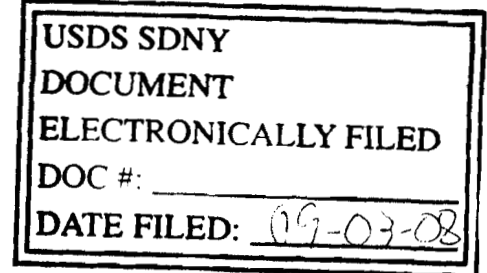


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September 3, 2008

Honorable John G. Koeltl
Daniel Patrick Monahan United States Courthouse
500 Pearl Street
New York, NY 10007



RE: Moore vs. Brownstein/Case No. 08 CV6280

Dear Judge Koeltl:

At the suggestion of your deputy, Mr. Fletcher, I am writing to inform the Court of the status of this matter. A conference was scheduled for today and I was directed to inform counsel for the defendant. In the interim, the defendant has gone into default and I have been contacted by Matthew C. Gruskin, Esq. who informed me that he was attempting to meet with Mr. Brownstein to determine whether he would represent him in this matter. I agreed that I would not move on this matter until Monday, September 8, 2008, by which date Mr. Gruskin had agreed to get back to me.

Please advise me as to the manner the Court wishes to proceed in this matter.

Truly yours,

A handwritten signature in cursive script that reads "Roger L. Fidler".

Roger L. Fidler

The Conference is rescheduled for September 10, 2008
at 4³⁰ P.M. If the defendant fails to appear,
the plaintiff should move by order & show
& cause why a default judgment should
not be entered against the defendant.
9/3/08 *[Signature]*
US D.S.